



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,184	10/30/2003	Asaf Adi	IL920030025US1	8188
877	7590	10/16/2009	EXAMINER	
IBM CORPORATION, T.J. WATSON RESEARCH CENTER			CHIUMPTAZ, BOB R	
P.O. BOX 218				
YORKTOWN HEIGHTS, NY 10598			ART UNIT	PAPER NUMBER
			3629	
			NOTIFICATION DATE	DELIVERY MODE
			10/16/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

iplawyor@us.ibm.com

Advisory Action Before the Filing of an Appeal Brief		Application No. 10/697,184	Applicant(s) ADI ET AL.
		Examiner BOB CHUMPITAZ	Art Unit 3629
<p>– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –</p> <p>THE REPLY FILED 27 August 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.</p> <p>1. <input checked="" type="checkbox"/> The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:</p> <p>a) <input checked="" type="checkbox"/> The period for reply expires 3 months from the mailing date of the final rejection.</p> <p>b) <input type="checkbox"/> The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.</p> <p>Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).</p> <p>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</p> <p>NOTICE OF APPEAL</p> <p>2. <input type="checkbox"/> The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).</p> <p>AMENDMENTS</p> <p>3. <input type="checkbox"/> The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because</p> <p>(a) <input type="checkbox"/> They raise new issues that would require further consideration and/or search (see NOTE below);</p> <p>(b) <input type="checkbox"/> They raise the issue of new matter (see NOTE below);</p> <p>(c) <input type="checkbox"/> They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</p> <p>(d) <input type="checkbox"/> They present additional claims without canceling a corresponding number of finally rejected claims.</p> <p>NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).</p> <p>4. <input type="checkbox"/> The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).</p> <p>5. <input type="checkbox"/> Applicant's reply has overcome the following rejection(s): _____. </p> <p>6. <input type="checkbox"/> Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</p> <p>7. <input type="checkbox"/> For purposes of appeal, the proposed amendment(s): a) <input type="checkbox"/> will not be entered, or b) <input type="checkbox"/> will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.</p> <p>The status of the claim(s) is (or will be) as follows:</p> <p>Claim(s) allowed: _____. Claim(s) objected to: _____. Claim(s) rejected: _____. Claim(s) withdrawn from consideration: _____. </p> <p>AFFIDAVIT OR OTHER EVIDENCE</p> <p>8. <input type="checkbox"/> The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).</p> <p>9. <input type="checkbox"/> The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fail to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).</p> <p>10. <input type="checkbox"/> The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.</p> <p>REQUEST FOR RECONSIDERATION/OTHER</p> <p>11. <input checked="" type="checkbox"/> The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet</u></p> <p>12. <input type="checkbox"/> Note the attached <i>Information Disclosure Statement(s)</i>. (PTO/SB/08) Paper No(s). _____</p> <p>13. <input type="checkbox"/> Other: _____. </p> <p>/JOHN G. WEISS/ Supervisory Patent Examiner, Art Unit 3629</p> <p>/B. C./ Examiner, Art Unit 3629</p>			

Continuation of 11. does NOT place the application in condition for allowance because: In the remarks, Applicant argues: (1) Mori does not disclose propagation of state changes among the dependencies by conveying events. (2) Herbst Entity-Relationship-Rules-Model (ER-RM) is incapable of changing the model by propagation of the effect of a state change in one entity to other entities (3) The Mori/Bailey/Herbst combination do not disclose responsively to the situation, conveying a third event from the situation awareness unit to the active dependency integration unit. (4) Mori does not disclose that the recited functional state comprises propagating a change to at least a second business component (5) Applicant believes that independent claim 27 is patentable over Mori in view of Bailey and Herbst, as these references fail to disclose or suggest the cooperation of a situation awareness unit which detects situations that reflect changes in the states of the business components in the model, and generates events in response to these situations. However, the Mori/Bailey/Herbst combination do disclose claims 3-4, 8, 27; and the Mori/Bailey/Herbst/Parad combination do disclose claim 2; and the Mori/Bailey/Herbst/Nye combination do discloses claims 9-10. As stated in the previous office action: Mori discloses generating a process model having information representing dependence relations among tasks [0009-10]; Bailey teaches wherein an action may change the value of a condition of some other event-condition-action (ECA) rule (Pg. 492, sect. 3.2-3.2.1); Herbst teaches modeling business rules through their components is best reflected in event schemas of the OOA&D method which is a close relative of CPM in Merise, and wherein the most powerful combination for modeling system structure and dynamics is realized in the Behavior Integrated ERM (BIER) approach. The behavioral part of BIER allows modeling real world events and their temporal interdependencies. Merise/2 introduces objects life-cycles in which the events changing the states of certain object are modeled (Pgs. 6, 17 and Sect. 3.2.2.2); Parad teaches wherein project evaluation and review technique uses tasks dependencies and status relative to forecasted completion to revise schedules and coordinate tasks (col. 1, lines 24-36; col. 8, lines 43-53); Nye teaches state transition and propagation of event logic (col. 7, lines 10-61; col. 10, lines 30-45). Therefore, the cited prior art does disclose the argued limitations, also examiner notes: In re Dembiczaik, 50 USPQ2d 1614, "we have noted that evidence of a suggestion, teaching, or motivation to combine may flow from the prior art references themselves, the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solved."